

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS VIOLENCE-FREE WORKPLACE MODEL PLAN

1.0 INTRODUCTION

- 1.1 Employees are the State's most valuable resource and their safety and security are essential to carrying out their responsibilities. Every employee has a reasonable expectation to perform his/her assigned duties in an atmosphere free of threats and assaults.
- 1.2 Recognizing the increasing incidence of violence in the workplace, the Governor of the State of Louisiana issued an executive order committing the Governor and the State of Louisiana to work toward a violence free workplace for state employees.
- 1.3 The **Department of Public Safety and Corrections, Corrections Services (DPS&C, CS)**, hereinafter referred to as the department, fully supports this effort and is committed to a violence free workplace. **(mandatory)**

2.0 PURPOSE

The purposes of this plan are to:

- 2.1 direct implementation of effective security measures and administrative work practices to minimize exposure to conditions that could result in harm to state workers;
- 2.2 promote a positive, respectful and safe work environment that fosters employees' security, safety and health; and
- 2.3 require ongoing analysis of the workforce and each work site for hazard prevention and control.

3.0 DEFINITIONS

3.1 Assault

Assault is an attempt to commit a battery, or the intentional placing of another in reasonable apprehension of receiving a battery. (Example: I may have a stick raised and know that I have no intention of striking you, but, based on the circumstances, you have a reasonable apprehension that I plan to strike you.)

3.2 Battery

Battery is the intentional use of force or violence upon another; or the intentional administration of a poison or other noxious liquid or substance to another.

3.3 Credible Threat

A credible threat is a statement or action that would cause a reasonable person to fear for the safety of him/herself or that of another person and does, in fact, cause such fear.

3.4 Intentional

Intentional refers to conduct when the circumstances indicate that the offender, in the ordinary course of human experience, must have considered the criminal consequences as reasonably certain to result from his act or failure to act.

3.5 Violence

Violence is the commission of an assault or battery or the making of a credible threat.

3.6 Workplace

The workplace is any site where an employee is placed for the purpose of completing job assignments.

3.7 Workplace Violence

Workplace violence is violence that takes place in the workplace.

4.0 MANAGEMENT RESPONSIBILITIES (mandatory)

The department shall comply with federal and state statutes, rules, regulations and or guidelines in making reasonable efforts to:

4.1 hire, train, supervise and discipline employees;

4.1.a To this end, the department screens its' prospective employees through Civil Service Tests, in-house interviewing processes and in some positions, such as in the case of Security Officers, a Hiring Board comprised of seasoned officers to judge the qualifications of applicants.

Training is accomplished through strict adherence to the American Correctional Association (ACA) Standards for Correctional Officers and Support Staff. Security Cadets are given two weeks of Basic Training after which they are given an additional forty hours of Orientation at the Unit which covers those Posted Policies specific to the assigned unit. An additional forty hours of In-Service Training is required for a total of 160 hours during the first year of employment. In subsequent years, all security staff are given a minimum of forty hours of training per year. Most full-time employees receive a minimum of forty hours of training per year.

Given the structure and security orientation of this department, supervisors are given additional hours of Administrative Training to insure that their skills, knowledge and abilities are current and of the highest quality.

Employee Discipline is accomplished by means of an Employee Manual which spells out the requirements of individual employees, rules of behavior and provides sanctions for a breach of these rules. The department is guided by the Mission Statement which is set forth in this manual.

- 4.2 intervene in situations of harassment in the workplace where the employer is aware of the harassment;
- 4.2.a Employees are made aware of the responsibility to report situations of harassment in the workplace through an established Employee Assistance Program (EAP) with a designated Coordinator at each Unit. Training is provided in the awareness and recognition of these types of situations and the necessity for reporting them.
- 4.3 ensure employees and/or independent contractors are fit for duty, and do not pose unnecessary risks to others;
- 4.3.a Employees are deemed fit for duty by the use of an Essential Functions Form listing the nature and specific examples of the duties of the position. This was initially designed for use in insuring compliance with the Americans with Disabilities Act (ADA); however, it has proven to be a valuable tool in insuring that all employees are fit for duty and do not pose unnecessary risks to others.
- 4.4 provide security precautions and other measures to minimize the risk of foreseeable criminal intrusion based upon prior experience or location in a dangerous area;
- 4.4.a The department's Mission includes public safety and security. All employees are constantly aware of the imminent threat that the slightest miscalculation or lack of attention to detail can have catastrophic results and potential loss of life.
- 4.5 maintain an adequate level of security;
- 4.5.a Security in the department is of primary concern and is maintained at the highest level.
- 4.6 establish and implement a written policy and plan dealing with violence in the workplace;
- 4.6.a The department has in place the following Department Regulations:
 - A-01-004 Project Zero Tolerance
 - C-05-001 Activity Reports/Unusual Occurrence Reports
 - C-05-003 Headquarters Audit-Adult and Juvenile Secure and Non-secure Institutions and Residential Contract Facilities

Copies are attached as a part of this Plan.

- 4.7 provide employee training on the agency plan, warning signs of potential for violent behavior, and precautions which may enhance the personal safety of the employee at work;
 - 4.7.a **Employee training on the department plan will be carried out by an established network of Unit Trainers, Safety Officers, EAP Coordinators and others who are qualified to teach this Plan.**
- 4.8 warn an employee of a credible threat made by another to do harm to that employee;
 - 4.8.a **The security orientation of the department requires that all employees be aware of threats to individual security and the security of the unit.**
- 4.9 support the application of sanctions and/or prosecution of offenders, as appropriate;
 - 4.9.a **Sanctions are provided for in specific terms in the Employee Manual and Post Orders at the Units.**
- 4.10 accommodate, after appropriate evaluation, employees who require special assistance following incident(s) or workplace violence;
 - 4.10.a **Employees who are exposed to incidents of workplace violence are cared for by staff Mental Health workers and contract Psychologists and Psychiatrists. Additionally, there is an established EAP and Critical Incident Stress Debriefing Coordinator at each unit.**
- 4.11 cooperate with law enforcement agencies;
 - 4.11.a **The department has an established working relationship with all local, state and federal law enforcement agencies.**
- 4.12 establish a uniform violence reporting system with regular review of submitted reports;
 - 4.12.a **The department accomplishes this through the Unusual Occurrence Report mechanism. All reports are reviewed, acted upon where appropriate and situations are monitored.**
- 4.13 initiate procedures to protect from retaliation employees who report credible threats; and
 - 4.13.a **Employees are protected by departmental policy and practice.**
- 4.14 keep up-to-date records to evaluate the effectiveness of administrative and work practice changes initiated to prevent workplace violence.
 - 4.14.a **Records of all incidents are maintained and policy and/or practice is evaluated and changed where necessary and staff training is adjusted accordingly to ensure the efficacy of the Violence-Free Workplace Model Plan.**

5.0 MANAGEMENT COMMITMENT

5.1 At the department, management commitment, including the endorsement and visible involvement of top levels of supervision, provides the motivation and resources to deal effectively with workplace violence, and includes:

5.1.1 organizational concern for employee emotional and physical safety and health;

5.1.2 commitment to the safety and security of all persons at the workplace;

5.1.3 assigned responsibility for the various aspects of the workplace violence prevention program to ensure that all supervisors and employees understand their roles and responsibilities; **(mandatory)**

5.1.3.a Overall responsibility for the implementation and maintenance of the Violence-Free Workplace Model Plan rests with the Secretary of the Department and his designees: the Deputy Secretary, the Undersecretary, Assistant Secretary of Adult Services, Assistant Secretary of the Office of Youth Development, the Director of Probation and Parole, the Director of the Division of Youth Services and the Director of Prison Enterprises.

5.1.4 allocation of authority and resources to all responsible parties;

5.1.5 accountability for involved supervisors and employees;

5.1.6 debriefing/counseling for employees experiencing or witnessing assaults and other violent incidents;

5.1.7 support and implementation of appropriate recommendations from violence prevention committees; and

5.1.8 treatment of workplace violence, incidents, complaints and concerns with seriousness, keeping confidential all reports and the identification of parties, except to those who have a legitimate need to know and to the extent required by law. **(mandatory)**

5.1.8.a Workplace violence incidents and threats of violence are treated with utmost seriousness and all information pertaining thereto is kept in the strictest of confidence.

6.0 EMPLOYEE RESPONSIBILITIES

At the department:

6.1 Employees are required to report to the **Unit Head** or designee all threats or incidents of violent behavior in the workplace which they observe or of which they are informed. Examples of inappropriate behavior which shall be reported include:

6.1.1 unwelcome name-calling, obscene language, and other abusive behavior;

- 6.1.2 intimidation through direct or veiled verbal threats;
 - 6.1.3 physically touching another employee in an intimidating, malicious, or sexually harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing, and pushing; and
 - 6.1.4 physically intimidating others including such acts as obscene gestures, "getting in your face," fist-shaking, and/or throwing any object.
- 6.2 Employee involvement and feedback enable workers to develop and express their own commitment to safety and security and provide useful information to design, implement, and evaluate the program. At the department, employee involvement includes, but is not limited to:
- 6.2.1 understanding and complying with the workplace violence prevention program and other safety and security measures;
 - 6.2.2 participating in employee complaint or suggestion procedures covering safety and security concerns;
 - 6.2.3 providing prompt and accurate reporting of violent incidents;
 - 6.2.4 cooperating with the safety and security committee that reviews violent incidents and security problems and makes security inspections; and
 - 6.2.5 participating in continuing education covering techniques to recognize and abate escalating agitation, assaultive behavior or criminal intent.

7.0 WORKPLACE ANALYSIS (mandatory)

- 7.1 The process of workplace analysis involves a step-by-step, common-sense look at the workplace to find existing or potential hazards for the occurrence of workplace violence. The workplace analysis entails reviewing specific procedures or operations that contribute to hazards and specific locales where hazards may develop. The workplace analysis program includes, but is not limited to:
- 7.1.1 analyzing and tracking records;
 - 7.1.1.a The analysis and tracking of incident records will be the responsibility of the Unit EAP Coordinator.**
 - 7.1.2 monitoring trends;
 - 7.1.2.a Trends shall be monitored by the Unit EAP Coordinator and significant changes shall be reported to the Unit Head.**
 - 7.1.3 analyzing incidents; and

7.1.3.a Incidents will be analyzed by the Unit Head and appropriate measures will be taken to mitigate workplace violence and to deal effectively with both victims and perpetrators of such acts.

7.1.4 analyzing workplace security.

7.1.4.a Workplace Security is an integral part of the mission of the department and is reflected in Departmental Policy, Unit Post Orders and ACA Standards.

7.2 At the department, the responsibility for conducting and maintaining workplace analyses is assigned to **the Unit Safety Officer with the assistance of the Unit EAP Coordinator and will be included as a part of Department Regulation No. C-05-003 "Headquarters Audit-Adult and Juvenile Secure and Non-secure Institutions and Residential Contract Facilities."**

7.3 The initial workplace analysis for the department shall be performed by **the Unit Safety Officer with the assistance of the Unit EAP Coordinator within 90 days** of the publication of this policy.

7.4 Additional information concerning the performance of a workplace analysis can be found in Attachment 1, "Workplace Analysis."

8.0 HAZARD PREVENTION AND CONTROL

8.1 After the completed workplace analysis is reviewed and approved, workplace adaptations, engineering controls, administrative controls, and work practice controls shall be implemented by the department to prevent or control, to the extent possible, any discovered hazards. If workplace violence does occur, the post-incident response and evaluation section of this policy (Section 9.0) shall be implemented.

8.2 Engineering controls and workplace adaptations remove the hazard from the workplace or create a barrier between the worker and the hazard. Examples of engineering controls and workplace adaptations can be found in Attachment 2, "Hazard Prevention and Control."

8.3 Administrative and work practice controls affect the way jobs or tasks are performed and, therefore, affect the security of the workplace. Examples of administrative and work practice controls can also be found in Attachment 2.

8.4 At the department the responsibility for hazard prevention and controls is assigned to **the Unit Safety Officer. (mandatory)**

9.0 INCIDENT RESPONSE AND EVALUATION

9.1 Assistance for victimized employees and employees who may be affected by witnessing a workplace violence incident will be provided. Whenever an incident takes place, injured employees will receive appropriate medical treatment and psychological evaluation as necessary, in accordance with existing statutes. **At the department this assistance is provided through the Unit EAP Coordinator at the direction of the Unit Head.**

- 9.2 An employee who has been threatened or assaulted by another at the workplace will immediately report the situation to his/her supervisor. The supervisor to whom the incident is reported will immediately notify **the Unit Head and other staff as deemed appropriate by the Unit Head.**
- 9.3 Written statements shall be obtained from all involved, including those who witnessed the incident. A statement form which may be used is found in Attachment 3, "Violence Incident Statement." The form is designed to answer the **WHO, WHAT, WHEN, WHERE, HOW, and WHY** of the incident while the event is still fresh. Concurrent with obtaining the written statements or as soon as possible thereafter, **the Unit EAP or Critical Incident Stress Debriefing coordinator or Unit Head designee** shall interview all parties to the incident, including victims, subjects and witnesses, and prepare written summaries of the interviews. The summaries shall be the basis on which to determine the facts of the event.
- 9.4 The following actions should be taken in accordance with the severity of the incident:
- 9.4.1 The situation is not dangerous:
- * separate employees involved and isolate until they are interviewed and their statements are taken;
 - * separate witnesses until they are interviewed and their statements are taken; and
 - * document all actions and statements.
- 9.4.2 The situation is dangerous:
- * contact local police at _____ or security at _____;
 - * order all those presenting the danger to leave the facility immediately; (unless this action must be taken by police/security);
 - * do not attempt to physically remove an individual; (leave it to the police/security); and
 - * document all actions and statements.
- 9.5 Additional information concerning post incident response and evaluation can be found in Attachment 4, "Incident Response."

10.0 RECORDS (mandatory)

- 10.1 Records associated with violence in the workplace need to be kept in a permanent, secure, and confidential manner. It shall be the responsibility of **Unit Head** to help evaluate security, methods of hazard control, and identify training needs. The following records are important and shall be maintained in accordance with pertinent statutes as part of the violence prevention program:

- 10.1.1 reports of work injury, including workers' compensation injuries, if necessary;
- 10.1.2 report for each reported assault, incidents of abuse, verbal attack, or aggressive behavior occurring between persons in the workplace;
- 10.1.3 police reports of incidents occurring in the workplace;
- 10.1.4 minutes of safety meetings, records of hazards' analysis, and corrective actions recommended;
- 10.1.5 violence in the workplace training, including subjects covered, attendees, and qualifications of trainers; and
- 10.1.6 other appropriate reports.

11.0 EVALUATION

- 11.1 Regular evaluation of safety and security measures affecting the violence prevention program shall be conducted at least annually. At the department, this evaluation shall be the responsibility of the **Unit Safety Officer with the assistance of the Unit EAP Coordinator at the direction of the Unit Head. (mandatory)**
- 11.2 The evaluation program consists of:
 - 11.2.1 reviewing reports and minutes from staff meetings on safety and security issues;
 - 11.2.2 analyzing trends in illness/injury or fatalities caused by violence;
 - 11.2.3 measuring improvement based on lowering the frequency and severity of workplace violence;
 - 11.2.4 surveying employees before and after making job or workplace changes or installing security measures or new systems to determine their effectiveness;
 - 11.2.5 requesting periodic outside review of the workplace for recommendations on improving employee safety; and
 - 11.2.6 interviewing employees who experience hostile situations about the medical treatment received (initially, several weeks later, and several months later).

12.0 COMMUNICATION

- 12.1 At the department, we recognize that to maintain a safe, healthy and secure workplace, we must have open communication among employees, including all levels of supervision, on these issues. The open communication process includes, but is not limited to:
 - 12.1.1 periodic review of this policy with all employees;

- 12.1.2 discussions of violence in the workplace during scheduled safety meetings;
 - 12.1.3 posting or distributing information on violence in the workplace; and
 - 12.1.4 procedures to inform supervisors about violence in the workplace, hazards, or threats of violence.
- 12.2 The department shall provide an appropriate place for employees to discuss security concerns with assurance that necessary confidences will be maintained.

13.0 TRAINING AND EDUCATION

- 13.1 At the department:
- 13.1.1 all employees, including all levels of supervision, shall have training and instruction on general, job-specific, and work site-specific safety and security practices; **(mandatory)**
 - 13.1.2 training and instruction shall be provided within one year of policy implementation and **annually** thereafter; and **(mandatory)**
 - 13.1.3 training shall begin with orientation of new employees within three months of employment and **annually** thereafter. **(mandatory)**
- 13.2 At the department the workplace violence training shall be the responsibility of **the Unit Training Officers at the direction of the Unit Head and coordinated by the Department Training Director.**
- 13.3 General violence in the workplace training and instruction may address, but is not limited to, the following areas:
- 13.3.1 explanation of the violence in the workplace policy as established by the department;
 - 13.3.2 measures for reporting any violent acts or threats of violence;
 - 13.3.3 recognition of hazards including associated risk factors;
 - 13.3.4 measures to prevent workplace violence, including procedures for reporting workplace hazards or threats to appropriate supervision;
 - 13.3.5 ways to defuse hostile or threatening situations;
 - 13.3.6 measures to summon others for assistance;
 - 13.3.7 routes of escape available to employees;
 - 13.3.8 procedures for notification of law enforcement authorities when a criminal act may have occurred;

13.3.9 procedures for obtaining emergency medical care in the event of a violent act upon an employee; and

13.3.10 information on securing post-event trauma counseling for those employees desiring or needing such assistance.

14.0 ADDITIONAL INFORMATION CONCERNING WORKPLACE VIOLENCE

14.1 Attachment 5, "Workplace Violence Checklist," may be used in identifying present or potential workplace violence problems.

14.2 Attachment 6, "Recognizing Inappropriate Behavior," may be helpful in identifying the types of behavior this policy forbids.

14.3 Attachment 7, "Personal Conduct To Minimize Violence," may be helpful to an individual in understanding what he/she might do to prevent violence.

14.4 Attachment 8, Department of Public Safety and Corrections, Corrections Services Mission Statement.

14.5 Attachment 9, Departmental Policy A-01-004 "Project Zero Tolerance."

14.6 Attachment 10, Departmental Policy C-05-001 "Activity Reports/Unusual Occurrence Reports."

14.7 Attachment 11, Department Policy C-05-003 "Headquarters Audit-Adult and Juvenile Secure and Non-secure Institutions and Contract Residential Facilities."

14.8 Department Incident Report.

14.9 Department Unusual Occurrence Report.

14.10 Department Employee Manual (Table of Contents).

14.11 American Correctional Association (ACA)
Standards for the Administration of Correctional Agencies (Table of Contents).

14.12 American Correctional Association (ACA)
Standards for Adult Correctional Institutions (Table of Contents).

14.13 American Correctional Association (ACA)
Standards for Juvenile Training Schools Facilities (Table of Contents).